

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to adopt the following DCYF rule:

RESIDENT TELEPHONE CALLS

This new rule, in compliance with the federal court order relating to RI Training School residents and the accreditation standards of the American Correctional Association for Juvenile Training Schools and Juvenile Detention Facilities, provides direction to staff on procedures for managing and documenting resident telephone calls.

In the development of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401-528-3685). Interested persons should submit data, views or written comments by October 8, 2010 to Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Susan.Bowler@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Resident Telephone Calls

Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: Training School

Policy: 1200.1402

Effective Date:

Version: 1

The Division provides reasonable and equitable access to the telephone for residents. Telephone calls with attorneys, the Department of Children Youth and Families (DCYF) Child Protective Services or the Office of the Child Advocate are not restricted. The Division recognizes that supporting healthy ties to the community and strengthening family supports for residents is an important aspect of rehabilitation and encourages telephone calls that serve those ends.

Related Procedure

Resident Telephone Calls

Resident Telephone Calls

Procedure from Policy 1200.1402: Resident Telephone Calls

- A. Newly-admitted residents make a telephone call at the time of admission to parents or guardians. Residents are also afforded an opportunity to call an attorney.
- B. A resident is afforded prompt access to the telephone if he/she asks to contact DCYF Child Protective Services.
- C. A resident is afforded prompt access to the telephone if he/she asks to contact the RI Office of the Child Advocate.
- D. Staff may not restrict calls to or from a resident's attorney at reasonable times.
 - 1. If an incoming telephone caller self identifies as a resident's attorney, staff obtains a name and telephone number from the caller.
 - 2. Staff returns the call to the number provided to verify the identification of the caller.
 - 3. Staff maintains visual supervision of the resident while he/she speaks to his/her attorney privately.
 - 4. The telephone call is documented in the Daily Unit Log Book and on the Telephone Log Sheet.
- E. Residents may earn telephone privileges in conformance with **DCYF Policy 1200.1302, Incentive System – Points and Levels.**
- F. The Unit Manager encourages resident telephone calls to and from:
 - 1. Social Workers, Probation Officers and other professionals to discuss issues relevant to treatment and transition.
 - 2. Family members, if it is determined that such calls are clinically necessary.
 - 3. These calls are documented on the Telephone Log Sheet.
- G. The Unit Manager approves all long distance calls unless of an emergency nature.
- H. Staff ensures that residents do not receive any telephone calls.
 - 1. If an incoming telephone call is of an emergency nature, staff obtains a name and telephone number from the caller and asks specifics of the situation.
 - 2. Staff calls the telephone number provided to verify the identification of the caller.
 - 3. If the situation is an emergency, staff may allow the resident to return the call with staff supervision. This call is logged in the Daily Unit Log Book and on the Telephone Log Sheet.
- I. Resident telephone calls are supervised by staff and documented on a Telephone Log Sheet (Form No. 012).
- J. Paragraphs A - I are consistent with American Correctional Association Standards 3-JDF-5G-05; 3-JDF-5G-11; 3-JTS-5H-05; 3-JTS-5H-11 and 3-JTS-5H-11-1.